

06/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13524

NAME AND ADDRESS: WESTON FARM LLC
10950 LUCKY OAK COURT
CUPERTINO CA 95014-0126

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 2.660 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T05N R46E S29 NWSE Lot 3 Within TETON County

The point of diversion for this water right is in Wyoming in T44N R118W section 22 NESW

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.660 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R46E S29	SWSW	40.00	T05N R46E S29	SESW	40.00
T05N R46E S29 Lot 4	SWSE	25.00			

105 ACRES TOTAL

105

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-237A, 22-567A. 22-13524.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right is also recorded as Wyoming Certificated Water Right No. 7420 and 5093 enl.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through South Side Ditch

This right is a split from former right 22-80.

06/22/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13524

WESTON FARM LLC
10950 LUCKY OAK COURT
CUPERTINO CA 95014-0126

PHONES: 408-735-9212
OR 208-354-9212

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: DEC 6, 2006

SIGNATURE:

Rondo F. Weston, for WESTON FARM LLC

Please print your name:

RONDO F. WESTON

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161.

Phone # / Computer
KNO 72115



Idaho Department of Water Resources

Adjudication Claim:

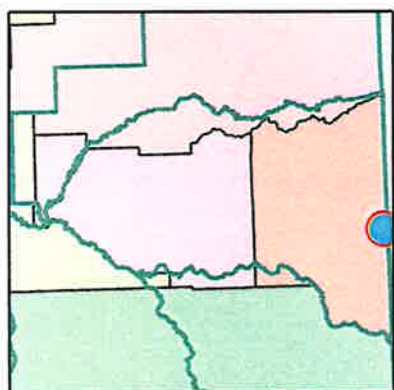
22-567A

22-237A

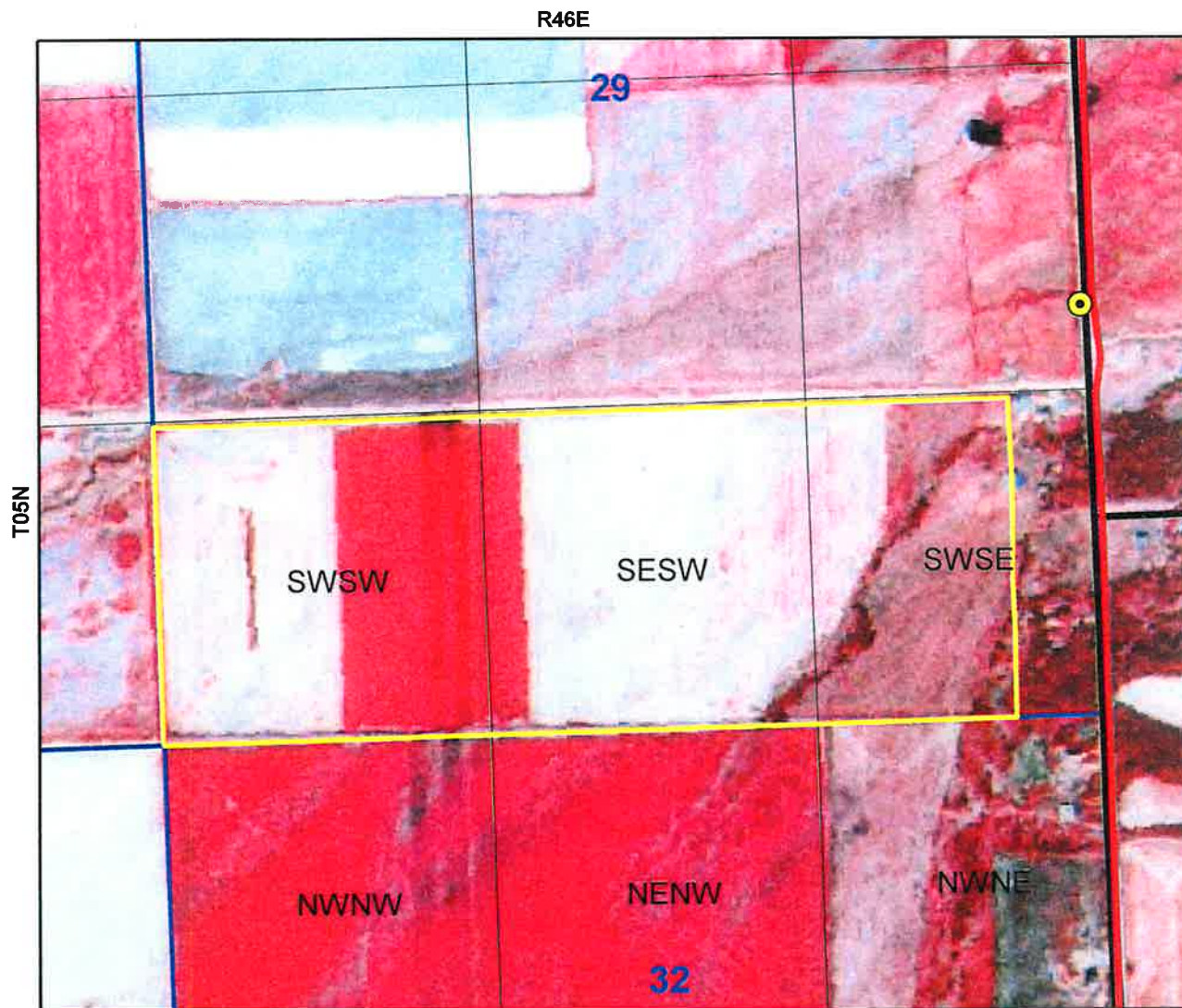
22-13524

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



0 0.3 0.6 Miles

Prepared by D. Carlson
On Thursday, June 22, 2006
1987/88 Aerial Photography

850 + 105 = 155

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-13524

Date Received: 5/8/2006

Receipt No:

Received By:

ED 31870
DL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WESTON FARM LLC Phone: 408-735-9212

10950 LUCKY OAK COURT
CUPERTINO CA USA 95014-0126

2. Date of Priority: 01/22/1916

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	29	NW SE 3	TETON	

5. Description of diverting works:

heagate of south side ditch into a pipeline and then across the stateline into
idaho

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	4.75	

7. Total Quantity Appropriated is:
475 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	46E	29	SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	4 IRRIGATION	25
					Section Acres	105
					Total Acres	105

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Water is delivered through South Side Ditch

This right is a combination of portions of old Right Nos.22-80, 22-81.

The point of diversion for this water right is in Wyoming in T44N R118W section 32 SESW

The point of diversion shown above is where the conveyance system enters Idaho.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am MEMBER, TREASURER of _____ Title

WESTON FARM LLC, that I have signed the foregoing Organization

document in the space below as MEMBER, TREASURER of Title

WESTON FARM LLC and that the statements contained in the Organization

foregoing document are true and correct. Ronald J. Weston Signature of Authorized Agent

MEMBER, TREASURER Title and Organization

MAY 8, 2006 Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

8 of May



Doree Carlson

Notary Public

Residing at

Reby, Id

My commission Expires

2/26/2008

22-13524

= DESCRIPTION OF SYSTEM =

The pipeline to be used to convey water for this enlargement has been in existence and use for approximately 30 years. No as-built records exist, therefore the horizontal location of the pipeline is shown per statements from the pipeline users. A profile was generated from the 7.5-min series, Driggs-ID-WY U.S.G.S. quadrangle map.

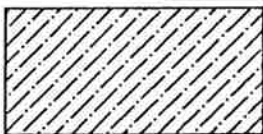
Water is delivered from its point of diversion on Teton Creek through the record South Side Ditch, Permit 7420, to the headgate for the Christensen Enlargement of the South Side Ditch, Permit 7308Enl. The headgate is within the SE1/4 SW 1/4, Sec. 32, T.44 N., R.118 W., and lies N 41°38'33" W, 1765 feet from the S 1/4 corner of said Section 32. Water is then delivered to the 40 acres to be irrigated under this enlargement via a pipeline as shown on this map.

7325E

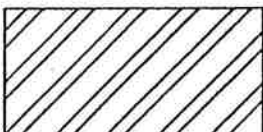
= LEGEND =



lands irrigated under permit no. 7420, through the South Side Ditch from Teton Creek with adjudicated water rights



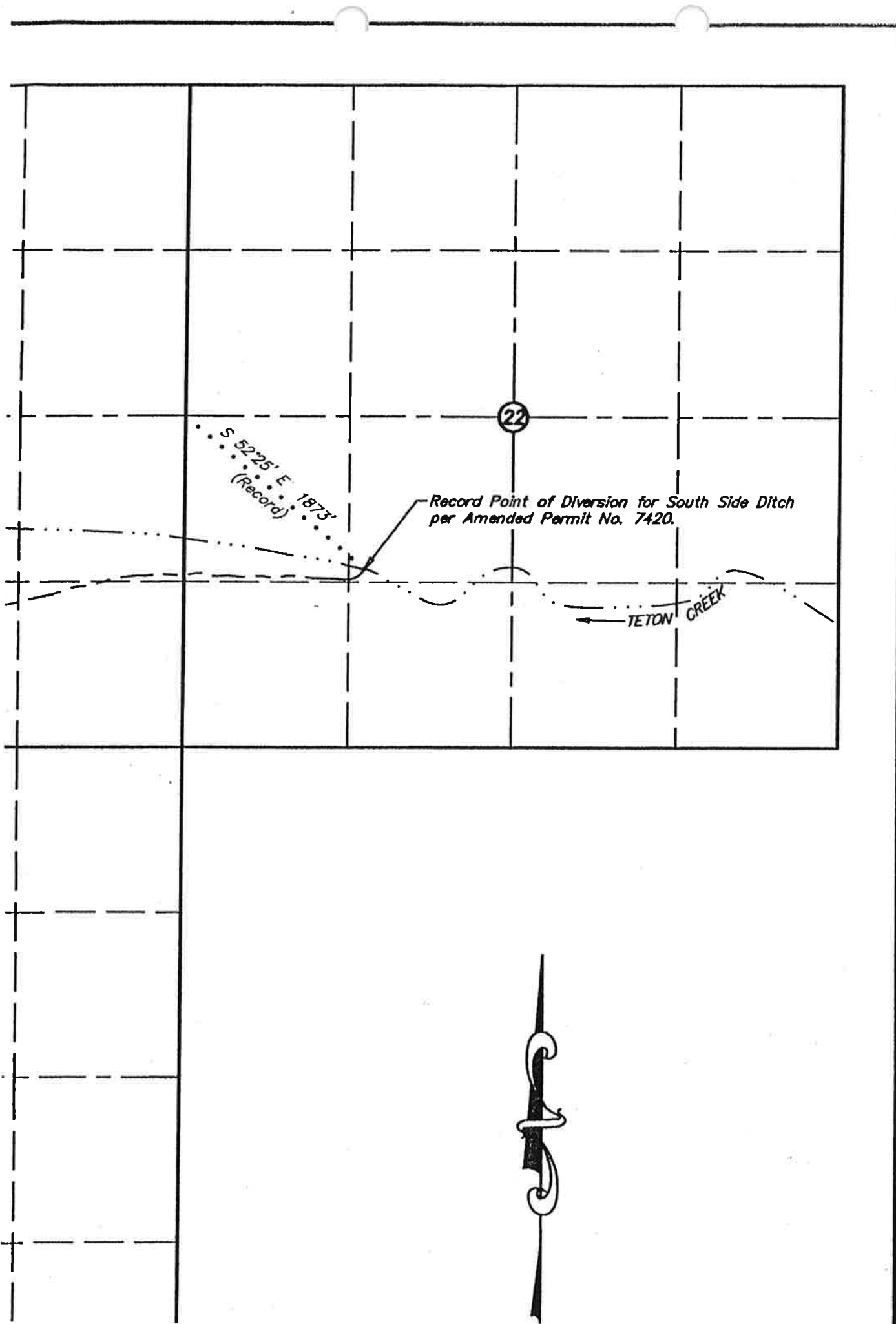
lands irrigated under permit no. 7420, through the South Side Ditch from Teton Creek with unadjudicated water rights



lands irrigated under permit no. 5093 Enl., through the Enlarged South Side Ditch from Teton Creek with adjudicated water rights



lands irrigated under permit no. 7420 through the South Side Ditch from Teton Creek with adjudicated



22

S 52°25' E 1873'
(Record)

Record Point of Diversion for South Side Ditch
per Amended Permit No. 7420.

TETON CREEK

